

**Board of Forestry and Fire Protection
Range Management Advisory Committee (RMAC)**

**Minutes
March 19, 2008**

Attending:

RMAC:

Representing

Ken Zimmerman	California Cattlemen's Association
Mike Connor	Public Member
Clancy Dutra	California Farm Bureau Federation
J.R McCollister	Public Member
Neil McDougald	California Cattlemen's Association
Edwin Anchordoguy	California Wool Growers Association
Chuck Pritchard	California Association of Resource Conservation Districts
Scott Carnegie	California Forestry Association
Leonard Hale	Watershed Fire Council of Southern California
Mel Thompson	California Wool Growers Association
Jeff Stephens	CAL FIRE / RMAC Executive Secretary

Members of the Public:

Richard Harris	UC Cooperative Extension
Tracy Schohr	California Cattlemen's Association
Tacy Currey	California Association of Resource Conservation Districts
Bill Thomas	California Cattlemen's Association
Terrance Lorick	CDFA
Dave Weixelman	USDA Forest Service

Items 1 & 2 Call to Order and Introductions:

Ken Zimmerman called the meeting to order at 8:00 am. Introductions of all present were made.

Item 3, Review of the January 2008 Minutes:

The minutes were reviewed and edits noted by Jeff Stephens. Chuck Pritchard moved to accept the minutes as presented with corrections. JR McCollister seconded and the motion carried unanimously.

Item 4, Oak Woodland Management Guidelines and associated fuels management on public open space:

Richard Harris began discussion with a review of information presented at the November RMAC meeting. He reviewed the current practices of some counties, such as Placer County, that acquire oak woodland parcels to compensate for the development footprint. The question becomes what happens to these lands in terms of management. He also

reviewed RMAC's effort for the development of a paper addressing the lack of management on publicly acquired parcels.

Richard Harris stated that counties are now developing areas at urban impact levels in terms of density. He used areal photos to illustrate his point also showing set aside areas to compensate for development. He emphasized that these parcels whether controlled by the county or other entities such as home owner's associations, lack funding and expertise to manage the properties. Mr. Harris stated that acquired properties may be acquired with existing problems and no funds for solutions.

Richard Harris stated that some acquired parcels occur in remote locations surrounded by hardwood rangelands. These properties can have liability, erosion, fire threat, and stream stabilization problems. Allowing access and considerations for what type of access is allowed are often not a consideration at the time of acquisition.

Chuck Pritchard commented that there are insufficient public funds to service the need for managing public lands. He called for a partnership with the private sector that creates an incentive for management. He made reference to a Canadian study in the February 2008 issue of Rangelands Magazine that evaluates the value of grazing lands to society. These are non-commodity values such as habitat, clean water, and open space for which the landowner is not compensated. Mr. Pritchard called for an examination of the complete picture of acquiring and placing value on public lands.

Mel Thompson faulted the county for not being more aggressive and requiring the developer to provide for management. Richard Harris responded stating that developers may be viewed as providing open space which is a benefit to the county; however, the counties are not looking ahead to the management requirements.

Clancy Dutra cited his example in Alameda County and the difference between county and city procedures. The city of Pleasanton requires the leaving of open space and procedures for maintaining them.

Ed Anchordoguy cited his experience as a former employee of both municipal and county government. He approached the problem by creating assessment districts so that people within a subdivision paid an annual fee for the maintenance of open space. Developers were not allowed to move forward without the establishment of assessment districts. Setting the District correctly in the initial stages of establishing the District is critical to their successful operation in later years.

Richard Harris noted that each county operating independently does not effectively spread the message that management is needed, and expressed hope that RMAC may be able to assist. Ken Zimmerman recommended that Mr. Harris approach the Regional Council of Rural Counties (RCRC) since they have direct contact with multiple counties facing the problem of managing acquired land.

Richard Harris mentioned two bills in the legislature due for hearings on March 25, 2008. These would allow insurance companies to set structure clearance that goes beyond PRC 4291; up to 500 feet. It raises questions of who is liable if property does not have that much space within its boundary.

JR McCollister asked if selling acquired property is an option. Richard Harris stated that he believes that counties are mandated not to sell as part of the acquisition agreement. Ken Zimmerman asked how the Draft Guidelines for Developing Oak Woodlands that Richard Harris presented at the November meeting related to the presentation made today. Mr. Harris stated that Placer County under the Guidelines must provide 2 acres of set-aside for each acre of oak woodland development. The developer would also have to provide funding for management and a management plan. The county would place the funds in a special fund. Richard Harris also stated that there is such a backlog of acquired parcels that RMAC could easily focus their effort for reform on just the acquired parcels versus trying to address future acquisitions.

Ken Zimmerman asked what RMAC may do to assist at this point. Richard Harris stated that he wishes to closely follow development of the RMAC paper on integrating resource management with resource investments, and asked that Jeff Stephens stay in communication.

Item 5, Work plan for further development of the Draft Paper, *Integrating Natural Resource Management in California with Resource Conservation Investments*:

Ken Zimmerman opened the discussion with reference to communications he has recently received from Mel Thompson and Scott Carnegie, and recommendations to alter direction and content. In response to the comment Ken Zimmerman felt it appropriate to meet with George Gentry and Jeff Stephens for the purpose of revisiting the direction given by the Board to confirm whether the current approach was in line with Board intent. Ken Zimmerman explained that as a result of that meeting a letter of instruction signed by the Board Chairman was sent to Ken Zimmerman restating the Board's direction to RMAC. The letter was distributed and reviewed by RMAC at the meeting.

JR McCollister expressed concern stating that this project has been underway for the past two years, and that the comment received related to content and direction should have been surfaced prior to this point in the process. Ken Zimmerman stated that he took the comments received as an indication that a meeting with the Board was needed to confirm RMAC's task.

Clancy Dutra stated that knowing what the task is as expressed by the Board has been a hindrance to moving forward over the past few months; however, the Board's letter has helped to put that issue aside and move forward. Mike Connor agreed that the letter clarifies RMAC's task, and that RMAC must move quickly, if as the letter states, that FRAP's (Fire & Resource Assessment Program) assistance with data is to be obtained. Ken Zimmerman stated that FRAP assistance is not guaranteed due to their workload; however, he did respond to Mr. Gentry's question of what is needed from FRAP by stating, as a minimum, RMAC requires maps that show overlays of state owned lands. He further stated that he needs to know what else the committee believes it needs from FRAP as soon as possible. Neil McDougald responded stating that in light of the comments expressed by Richard Harris the information requested would be: 1) Do these properties have a management plans, 2) If they have a plan is it being implemented, and 3) If it is being implemented is the plan being monitored for effectiveness. Clancy Dutra expressed doubt that FRAP has this information. Ken Zimmerman stated they should be asked, however.

Chuck Pritchard stated that the source of funding should be asked. RMAC as a whole agreed that not all information will be available or provided.

JR McCollister asked if RMAC should be analyzing all state lands or just rangelands. Ken Zimmerman stated he will ask for clarification but that he favors concentrating on rangelands.

JR McCollister asked if the Little Hoover Commission could serve as another source of information. Mel Thompson responded stating that he does not know if they have this type of data, but they are paid to perform these types of investigations. Ken Zimmerman asked Mel Thompson to pursue the issue of data with the Commission. Mel Thompson agreed. Ken Zimmerman stated that questions for the Commission as well as FRAP should be developed.

Chuck Pritchard suggested a 1-2 page summary that is easily read to catch the reader's attention.

Ken Zimmerman directed discussion to the Work Plan questions that were reviewed during the January RMAC meeting and asked that the full committee reconsider the questions now that a quorum is present. (Note the questions are restated below for reference with RMAC discussion for each and any edits to the questions.)

1. *Is it RMAC's position that we have nothing to say about the spending of conservation bond dollars?* Response – No: RMAC chooses to have input on the spending of conservation bond dollars.
2. *Is it fiscally responsible for the state to ~~purchase~~ **acquire** lands without having the resources to develop management plans and provide stewardship for these lands?* Response – No: Point of clarification: RMAC agreed to change “purchase” to “acquire” to capture lands that are donated without purchase.
3. *What is RMAC's position on Conservation Easements? Are Conservation Easements preferred over fee title acquisition when the state is using bond money?* Response – RMAC supports conservation easements. Mel Thompson raised the point on the second question that it depends on the parcel. Small parcels are usually not preferred as easements. Chuck Pritchard clarified that the question is pertinent to the larger issue of easements being preferred over acquisition. Ken Zimmerman concluded that the RMAC is in agreement with Chuck Pritchard's clarification.
4. *If the state is acquiring fee title property **when** should it not also include public access? State liability associated with public access would require some level of planning, management, and maintenance by the trustee agency or department.* Response - Mike Connor stated that access is dependent upon the purposes for which land is acquired. Chuck Pritchard made reference to the second sentence

addressing access through management. The word “when” was added per recommendation by Chuck Pritchard.

5. *What is the state’s goal in the use of bond monies: keeping large tracts of land open, recreation, water resources, habitat, etc. Request from the Resources Agency a summary of their long term conservation investment program.* Response – RMAC agreed that the second sentence is the action for RMAC.
6. *What is RMAC’s goal for the paper: answer the questions from the BOF, fiscal responsibility for investments by state agencies and departments, proper stewardship of rangeland resources?* Response – RMAC debated the phrase “fiscal responsibility for investments by state agencies and departments.” However, it was not deleted. RMAC at the recommendation of Mel Thompson adopted the following statement in addition to the original text as follows, “It is the responsibility of agencies to provide proper stewardship for public acquisition properties.”
7. *The reason for developing this paper is to facilitate discussions among various interest groups **toward the development and deliver of** a strategic plan for the stewardship of the state’s natural resource: Does RMAC support the model CRCC is using on private rangelands in the central valley? Can this model **be** applied on state owned lands?* Response – The first sentence was edited as noted above. Support of the CRCC model was agreed upon. Mel Thompson concluded “yes” as a response to the third sentence. Without further comment from the remaining RMAC members Ken Zimmerman elected to close discussion and move to item 8.
8. *Integrate the current departmental natural resource management of state owned lands and conservation investments into a sustainable Cooperative Stewardship Management Plan that focuses on broad resource objectives: healthy watersheds, productive rangelands with diverse habitat, hazardous fuels reduction, etc.: is this the intended goal for paper?* Response – RMAC agreed to this statement.
9. **Site specific** *management plans must be developed at the local level.* Response – Mel Thompson posed the question whether local governments will perform this task. Ken Zimmerman added clarification to # 9 stating that is why he selected the Weed Management Plan as a model since it calls for local management of noxious weed problems. Mike Connor recommended adding “Site specific” to clarify local involvement to avoid confusion with the recommendation for a statewide plan.

10. *Encourage private/public partnerships to manage the resources to maintain or enhance the resource objectives identified.* Response – RMAC agreed as stated.

11. *Does the current title of this paper capture RMAC's purpose?* Mel Thompson stated "no." Chuck Pritchard believes that it does. Ed Anchordoguy suggested that it be reviewed after a period of time when the paper is more fully developed. RMAC agreed.

Ken Zimmerman directed discussion to RMAC's objective for writing the paper seeking consensus on the issue. The committee referred to the mission statement, page 3 of the January minutes that reads as follows: *"To facilitate discussions among various interest groups and deliver a strategic plan for the stewardship of the state's natural resource."* RMAC agreed to alter the mission statement as follows:

*"To facilitate discussions among various interest groups and deliver **recommendations a strategic plan** for the stewardship of the state's natural resource."*

Scott Carnegie asked RMAC to clarify that this project is not just dealing with management plans, but also the acquisition of land. Ken Zimmerman and Chuck Pritchard responded in the affirmative. Scott Carnegie made a motion that the questions just reviewed and modified and the mission statement as modified be accepted by RMAC. Mel Thompson seconded. Motion carried by unanimous vote.

Ken Zimmerman then recommended three tasks to get the work started on a new draft paper.

1. Develop headings and a table of contents
2. Review existing draft and restructure according to the headings and table of contents.
3. Keep the desired text and discard the remainder
4. Develop an introduction or prologue

Mel Thompson stated that without clarifying where RMAC will find data it is not clear how RMAC may move ahead with the outline. Ken Zimmerman stated that he believes some data will become available and prefers to move ahead in compliance with the Board's directive. Clancy Dutra asked if it is possible to recover the original outline. Jeff Stephens will make a search and report back.

Neil McDougald suggested that a clear problem statement is needed stating there is no meaningful discussion amongst various interest groups on the management of the State's natural resources. He further recommended that the mission statement be stronger stating very clearly that a problem exists. Ken Zimmerman asked Chuck Pritchard and Neil McDougald to work together to compose a problem statement that will serve as a prologue. The following was submitted for later consideration:

The Range Management Advisory Committee (RMAC) has prepared this paper in response to a request from the California State Board of Forestry and Fire Protection (BOF) Policy Committee. This request is to examine the lack of discussion among various interest groups to deliver needed recommendations for

stewardship of the States natural resources. This would include purpose of acquisition, source of funding, and a management development and delivery system.

Ken Zimmerman asked Mel Thompson and Ed Anchordoguy to prepare the table of contents. Both agreed. Ken Zimmerman emphasized that the Board is interested in the scope of the problem. Clancy Dutra recommended that multiple examples of successful partnerships be included in an appendix.

Item 7, Non Point Source Pollution and the California Rangeland Water Quality Management Plan:

Jeff Stephens opened discussion informing RMAC that the reason item 7 was placed on the Agenda is based on communications that he had with Gaylon Lee of the State Water Board. Mr. Stephens expressed his opinion that confusion still exists on the part of some parties involved (himself and ranchers included) regarding the viability of voluntary compliance for non point source pollution on non-irrigated rangelands. Mr. Lee was invited to attend and offer input but did not appear.

Ken Zimmerman asked that the email exchange between Mr. Lee and Jeff Stephens be provided to RMAC. Jeff Stephens distributed the email.

Bill Thomas indicated that the issue has been debated for some time and reviewed the history with Lahontan in particular, stating that the their position has changed from wanting the State Board to step in and address the issue to one of where they have acted and passed their own regional waiver. The Central Coast has created a waiver as well as the Central Valley. The North Coast has approached the issue with 303d listing for sediment. Therefore, the presence of a void left from the State not stepping is false; there is no void. Regional Boards have stepped in and adopted waivers. They are structured differently according to the Region. The requirement for management plans is different. Lahontan requires a management plan and monitoring for fecal coliform in the Bridgeport area; the Central Valley requires a management plan; the Central Coast originally called for management plans but has not followed through on this requirement. None of the Regional Boards cited by Mr. Thomas have extended waivers beyond irrigated agriculture, other than the Central Coast that has left it as an option if warranted. He further stated that the Central Coast position is largely driven by recent E. coli occurrences in vegetable crops.

Bill Thomas clarified that the waivers on irrigated Ag land extends to both storm water runoff and return irrigated water. Mike Connor confirmed with Bill Thomas that all waivers have monitoring and participation components.

Bill Thomas further clarified the status of Tiers 1-3. Tier 1 is strictly voluntary. Tier 2 is voluntary and encouraged by regulation, and Tier 3 is full regulation. In his opinion we are at Tier 2 presently. Ranchers have voluntarily decided to participate in the Coalitions, but participation is part of a regulatory program. The option of Tier 1 potentially exists on non-irrigated lands since it is not covered under a waiver. Mike Connor cited his understanding of past statements by Mr. Lee indicating that new legislation no longer allows acceptance of Tier 1 on non-irrigated Ag lands. Bill Thomas responded stating that each of the Regions have determined that their waivers do not need to extend into the non-irrigated lands because there is not currently a perceived

problem there. Two have reserved the opportunity to go there if needed in the future. The Regional Board's taking action has removed the need for the State Board to take action.

Mel Thompson asked, if the Regional Boards decide to enforce waivers on non-irrigated Ag lands would ranchers be required to join a coalition? Bill Thomas responded stating that since non-irrigated lands are not currently being subjected to waivers it is a guess if joining would be required. Most Regional Boards have seen the wisdom of working with Coalitions rather than individual landowners. Bill Thomas confirmed that there is intense concern on the part of landowners over monitoring due to cost.

Chuck Pritchard asked that Mr. Thomas review the E. coli occurrence in San Benito County. Mr. Thomas stated that the Central Coast Board is dealing with it on a watershed by watershed basis. There is talk of setbacks. He speculated that the Leafy Green Program under Western Growers Association may have satisfied the problem. Some produce companies that are coming in are dictating the land management practices on the part of growers.

Ken Zimmerman thanked Bill Thomas for his attendance and comments clarifying water quality regulatory issues.

Dave Weixelman referenced the handout from Jeff Stephens stating the Forest Service has a State Board Certified Water Quality Management Plan dating from the early 80's and needs to be updated. Tracy Schohr stated that two years ago there were meetings between USFS and the State Board. Crispin Holland attended those meetings but not the producer groups. Bill Thomas stated that the USFS and EPA had just reached some accord and suggested that Dave Weixelman investigate the outcome. There has been an ongoing process where federal agencies are asked to comply with State water laws. Most of that can be seen with federal refuges and most in the north state do belong to Coalitions. The southern refuges have not followed the northern example by joining coalitions.

Item 6, Update on the Cal-Pac Society of Range Management Spring Meeting and Rangeland Manager's Certification Panel Meeting:

Mike Connor reported on the Panel's meeting of March 12, 2008. There is a new Panel Chairman, Larry Ford, and he is taking RMAC's concerns seriously point by point.

A formal method of recording continuing education credits (CE) was discussed. The national certification program for Society of Range Management (SRM) has a method in place for CE on the national level, but is not willing to track California Certified Rangeland Managers (CRM) unless they are also certified with the National SRM.

The Panel wrote a letter to Eric Huff asking that some of the money sent to the CRM Program be refunded to the Panel to pay for a part time secretary. That person would do a newsletter, keep track of CE Units, and maintain the webpage.

Draft Policy 12 was discussed. Jim Bartolome and others recommended changes to the draft that Mike Connor believes are an improvement. One of which is a statement declaring when an RPF should seek the professional advice of a CRM.

The CRM Test: There is an electronic data base of previous tests due for completion this summer from which test questions could be drawn at random. A test is scheduled for September and RMAC is invited to contribute questions. There is consideration for giving the test at the Cal-Pac Meetings; however, cost may be prohibitive.

Larry Ford has attempted to contact individuals complaining about past testing administration; however, he did not get a written response from those contacted.

Item 8, Agency and Association Reports:

USDA Forest Service, Dave Weixelman Reporting: Anne Yost will be the new Regional Range Manager for Region 5 effective May 2008. They are also hiring a new NEPA coordinator to help with the Rescission Act. Dave Weixelman has been hired as the new Range Ecologist. Neil McDougald asked if the long term monitoring program will continue. Dave Weixelman stated that it will continue with over 800 plots being monitored every 5 years. The process started in 1999.

The Rescission Act: All allotments are supposed to be under NEPA by the end of this fiscal year. This will not happen. Unofficially this has been extended to 2016. There are 147 allotments in California that still do not have NEPA completed. The number of Categorical Exclusions allowed is limited by Congress. They will use the Exclusion where possible.

California Cattlemen's Association (CCA), Tracy Schohr Reporting: Trip to DC April 1-4. One day will be the Rangeland Coalition visiting with agency leadership and congressional members. Main topics to be discussed include the Farm Bill.

CCA continues to work on water quality issues and carbon sequestration for rangeland. She passed out a CAL FIRE flyer depicting the benefits of grazing to controlling fuel and suggested the political climate may be right to revive the flyer as a means of generating revenue for grazing.

California Association of Resource Conservation Districts, Tacy Currey Reporting:

Tacy Currey stated they have several districts working on public lands and grazing leases. She attended a DC trip with Chuck Pritchard for a National GLCI meeting that also included legislative stops for the Farm Bill. They are organizing an outreach workshop for the public promoting the benefits of grazing scheduled for this spring.

Item 9 Focus Group Reports: None

Item 10, New and Unfinished Business:

Ken Zimmerman stated that Clancy Dutra has agreed to chair the Water Focus Group with the condition that he receives assistance from other RMAC members. Ken Zimmerman asked if Chuck Pritchard would assist. Chuck Pritchard agreed. Clancy Dutra asked that all members make recommendations for the agenda and that he will hold a meeting in May. Mr. Dutra stated that he serve as chairman until another member develops the background necessary to carry on. Leonard Hale also agreed to assist with the Water Focus Group.

JR McCollister stated that he will not have a Focus Group meeting in May. Mike Connor stated that he plans to have a Rangeland Focus Group meeting. Ken Zimmerman stated that he wishes to have a Policy Focus Group meeting.

A new date for the November RMAC meeting was selected to be November 11-12 and members should hold November 13 open as well in the event that the meeting is delayed by one day.

Ken Zimmerman asked that all members give consideration to the selection of officers at the May meeting.

Item 11, Public Comment:

NONE

Adjourn

Tasks:

1. In reference to the Board of Forestry and Fire Protection letter dated March 17, 2008, page one (1), last paragraph, sentence one (1): Ken Zimmerman will contact the Board's Executive Officer and clarify the wording "recommendations on the acquisition of State lands...." Is it the Board's intent to include any State acquired land, or is the scope of the RMAC paper limited to Rangelands?
2. Mel Thompson will contact the Little Hoover Commission for the following purposes: (1) Provide a brief summary for RMAC's benefit of the work completed by the Commission that has relevance to the intent of RMAC's work on integrating resource management with resource investments. (2) Identify available Commission data on State land Acquisitions that may be used to identify the "scope" of the problem as stated in the Board's letter dated March 17, 2008 in bullet point 1.
3. Ken Zimmerman will communicate to the Board's Executive Officer the need for a letter to FRAP requesting assistance with obtaining data describing the magnitude of State land acquisitions. Data may be in map and/or numeric format.
4. Neil McDougald and Chuck Pritchard will draft an opening statement for the paper. Executive Secretary note: It was not made clear at the meeting if RMAC intends for this to be a problem statement. Clarification needed. **See attached**
5. Mel Thompson and Ed Anchordoguy will complete a Table of Contents for a newly formatted version of the RMAC paper. This is to be completed within two weeks of today's date and provided to Ken Zimmerman for review.
6. Jeff Stephens will search his files for a copy of the earliest outline to the RMAC paper on integrating resource management with investments.